

Gerry Ruff

C/O 551 Vista Drive

Gahanna, Ohio [43230]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
COLUMBUS

GERRY RUFF
Plaintiff

VS

REDD HOFFMAN & BRAMLETT LLC
Defendant.

CASE #: **2:21 CV 5905**

JUDGE:

Judge Watson

MAGISTRATE JUDGE JOLSON

TCPA, FDCPA

JURISDICTION

1. This action arise out of Defendants violation of the Fair Debt Collection Practice Act, 15 U.S.C 1692 et seq ("FDCPA"), and the harassment of Plaintiff by Defendants and its agents in their illegal efforts to collect a consumer debt.
2. Supplemental jurisdiction exist pursuant to 28 U.S.C 1367.

3. Venue is proper in this District pursuant to 28 U.S.C 1391(b), in that the Defendant transact business in this District and a substantial portion of the acts giving rise to this action occurred in this District.

PARTIES

4. The Plaintiff, Gerry Ruff (“Plaintiff”), is a natural person residing in Columbus , Ohio, and is a “consumer” as the term is defined by 15 U.S.C 1692a(3).
5. Defendant REDD HOFFMAN & BRAMLETT LLC. is a Colorado business entity with an address of 4255 S Buckley Rd Unit # 612, Aurora, CO 80013, colorado, United States, operating as a collection agency, and is a “debt collector” as the term is defined by 15 U.S.C 1692a(6).

PRELIMINARY STATEMENT

6. This is an action for statutory damages brought by Plaintiff against Defendant for Violations of the Fair Debt Collection Practices Act (FDCPA) 15 U.S.C. § 1692 e(5)
7. This is an action for statutory damages brought by Plaintiff against Defendant for Violations of the Telephone Consumer Protection Act (TCPA) 47 U.S.C. § 227.
8. This is an action for Statutory damages brought by Plaintiff against Defendant.

FACTUAL ALLEGATIONS

9. On July 16, 2021 at or around 12:58 pm, plaintiff received a text message on his cellular device from the defendant.
10. Defendant text message came from phone number 214-304-9309,
11. Defendant text message reads “ This is regarding an important matter with the offices of Redd Hoffman & Bramlett. It is imperative we hear back from you today at

800-746-6101 Ext 111. Thank you

12. On July 28, 2021 at or around 7:13 pm, plaintiff received phone call from 1-800-746-6101 on his cellular device.
13. Plaintiff was not able to answer the phone call.
14. Defendant left an automated voice mail.
15. The automated voice mail stated “As of today’s date it has been recorded that despite our previous request and correspondence your obligation with the office of Brad Hoffman and Bramlett remains outstanding please note that your file has been escalated and you are in default of your financial agreement it is the intent of our firm and its affiliates to submit a motion and your respected county that could result in potential negative ramifications if you would like to prevent such motion and achieve a voluntary solution to this urgent matter i strongly suggest they call back to the office today we can be reached at 1-800-746-6101 again that number is 1-800-746-6101.”
16. On August 12,2021 plaintiff emailed defendant an intent to sue letter in an attempt to get this matter resolved without the court..
17. Defendant was not interested in coming to an agreement with plaintiff.

**COUNT 1
VIOLATION OF FAIR DEBT COLLECTION
PRACTICES ACT (FDCPA), 15 U.S.C. §1692e(5)
BY DEFENDANT REDD HOFFMAN & BRAMLETT LLC**

18. Plaintiff alleges and incorporates the information in paragraphs 1 through 17.
19. Plaintiff is a consumer within the meaning of the FDCPA, 15 U.S.C. §1692
20. Defendant REDD HOFFMAN & BRAMILETT LLC is a debt collector within the meaning of the FDCPA, 15 U.S.C. §1692a(6)

21. Defendants violated the FDCPA. Defendant's violations include, but are not limited to, the following:
22. Defendants violated 15 U.S.C. §1692 e(5) by threatening to take legal actions against me that cannot legally be taken.

WHEREFORE, Plaintiff demands judgment for statutory damages of \$1,000.00 One Thousand Dollars and the alleged debt to be cleared from Plaintiff credit file with Injunctive relief.

COUNT 2
VIOLATION OF TELEPHONE CONSUMER
PROTECTION ACT 47 U.S.C. § 2277 U.S.C b(C)

23. Plaintiff alleges and incorporates the information in paragraphs 1 through 22.
24. On July 16,2021 plaintiff received a text message on his cellular device from the defendant without plaintiffs expressed written consent.
25. Defendant text message came from phone number 214-304-9309

WHEREFORE, Plaintiff demands judgment for statutory damages against defendant for \$500.00 Five Hundred Dollars and the alleged debt to be cleared from Plaintiff credit file with Injunctive relief.

COUNT 3
VIOLATION OF TELEPHONE CONSUMER
PROTECTION ACT 47 U.S.C. § 2277 U.S.C b(1)(A)(iii)

26. Plaintiff alleges and incorporates the information in paragraphs 1 through 25.
27. On July 28, 2021, plaintiff received phone call from Defendant 1-800-746-6101 on his

cellular device without plaintiff expressed written consent...

WHEREFORE, Plaintiff demands judgment for statutory damages against defendant for \$500.00 Five Hundred Dollars and the alleged debt to be cleared from Plaintiff credit file with Injunctive relief.

COUNT 4

**VIOLATION OF TELEPHONE CONSUMER
PROTECTION ACT 47 U.S.C. § 2277 U.S.C b(C)**

28. Plaintiff alleges and incorporates the information in paragraphs 1 through 27.
29. On July 28, 2021, plaintiff received phone call from Defendant on his cellular device without plaintiff expressed written consent.
30. Defendant called plaintiffs cellular device using an automated dialer.

WHEREFORE, Plaintiff demands judgment for statutory damages against defendant for \$500.00 Five Hundred Dollars and the alleged debt to be cleared from Plaintiff credit file with Injunctive relief.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that judgment be entered against Defendants for all damages allowable (including statutory, actual, compensatory, nominal and punitive the total of which Plaintiff claims more than \$2500.00), costs, expenses, attorney fees, injunctive relief to prevent further violations, and for such other.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Gerry Ruff", with a stylized, cursive script.

Gerry Ruff

551 Vista Drive

Gahanna Ohio 43230